

Drawings

Applicant has attached hereto 17 new sheets of drawings which contain Figures 1 – 26. These sheets of drawings are identical to the drawings from the international application, on which the present application is based. It is respectfully submitted that no new matter is added with these new sheets of drawings since they are identical to the sheets in the international application.

Remarks

The Office Action of June 25, 2009, has been carefully considered.

It is noted that drawings are required.

The disclosure is objected to for containing various informalities.

Claims 68 – 69 are rejected under 35 U.S.C. 112, second paragraph.

Claims 37, 39, 40, 42 – 44, 52 and 63, are rejected under 35 U.S.C. 102(b) over the patent to Bachrach.

Claims 37, 39, 41, 66 and 70, are rejected under 35 U.S.C. 102(b) over FR 976,094.

Claims 37, 39, 45, 46, 49 – 51, 53 and 67 – 69, are rejected under 35 U.S.C. 102(b) over JP 50060808.

Claims 47 – 48 are rejected under 35 U.S.C. 103(a) over JP 50060808.

Claims 54 – 62 are rejected under 35 U.S.C. 103(a) over JP 50060808 in view of the patent to Henriksen.

Claims 64 – 65 are rejected under 35 U.S.C. 103(a) over JP 50060808 in view of the patent to Mosley.

Claims 71 – 72 are rejected under 35 U.S.C. 103(a) over JP 50060808 in view of Henriksen, and further in view of the patent to Berry.

In connection with the Examiner's objection to the drawings, applicant has enclosed herewith new sheets of drawings which contain Figures 1 – 26. These sheets of drawings are identical to the drawings from the international application, on which the present application is based. Thus, no new matter is added by these drawings.

In view of the Examiner's objection to the disclosure, applicant has amended the specification to correct the informalities pointed out by the Examiner. In view of these

considerations, it is respectfully submitted that the objection to the disclosure is overcome and should be withdrawn.

In view of the Examiner's rejections of the claims, applicant has cancelled Claims 52 and 53, and amended Claims 37, 42, 45, and 68.

It is respectfully submitted that the claims now on file particularly point out, and distinctly claim subject matter which applicant regards as the invention. Applicant has amended Claim 68 to correct the instance of the indefiniteness pointed out by the Examiner.

In view of these considerations, it is respectfully submitted that the rejection of Claims 68 and 69 under 35 U.S.C. 112, second paragraph, is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly-advantageous manner from the constructions disclosed in the references.

Turning now to the references, and particularly to the patent to Bachrach, it can be seen that this patent discloses an oscillating pump having an inlet valve formed in the outer wall of the housing. Bachrach does not disclose a pump having an inlet valve formed in a housing dividing wall, as recited in the amended claims currently on file.

Furthermore, Bachrach does not disclose that the inlet valve and the outlet valve are associated with the same end region of the path of movement. In Figure 2 of Bachrach, the inlet valve 43 faces the end of the path of movement of the lower piston Figure 2, whereas the outlet valve 50 faces a different end region. The outlet valve 32 is associated with the end of the movement path of the upper piston shown in Figure 2.

In view of these considerations, it is respectfully submitted that the rejection of Claims 37, 39 – 40, 42 – 44, 52 and 63, rejected under 35 U.S.C. 102(b) over the above-discussed reference, is overcome and should be withdrawn.

FR 976,094 discloses an oscillating pump. This reference, does not, however, disclose a pump in which the inlet valve and the outlet valve are formed in a common housing dividing wall, as recited in the presently-claimed invention.

In view of these considerations, it is respectfully submitted that the rejection of Claims 37, 39, 41, 66 and 70, under 35 U.S.C. 102(b) over the above-discussed reference, is overcome and should be withdrawn.

JP 50060808 discloses a pump having an outlet valve formed in the outer wall of the housing. There is no disclosure by this reference of a pump having an outlet valve formed in a housing dividing wall, as in the presently-claimed invention.

Furthermore, in JP 50060808 the inlet valve 4 and the outlet valve 5 are not disposed in the same housing dividing wall, as in the presently-claimed invention.

In view of these considerations, it is respectfully submitted that the rejection of Claims 37, 39, 45, 46, 49 – 51, 53 and 67 – 69 under 35 U.S.C. 102(b), and the rejection of Claims 47 – 48 under 35 U.S.C. 103(a) over the above-disclosed reference are overcome and should be withdrawn.

As for the remaining references which were cited in various combinations with JP 50060808 in rejecting Claims 54 – 62, 64, 65, 71 and 72, these references have also been considered. Applicant submits that none of these references adds anything to the teachings of the above reference so as to suggest the presently-claimed invention.

In view of these considerations, it is respectfully submitted that the rejection of Claims 54 – 62, 64, 65, 71 and 72, under 35 U.S.C. 103(a) are overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Fees

No fees are believed to be due. However, if any fee is determined to be due, authorization is hereby given to charge the fee to deposit account #02-2275. Pursuant to 37 C.F.R. 1.136(a)(3),

Reconsideration and allowance of the present application are respectfully requested.

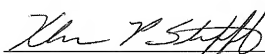
Fees

No fees are believed to be due. However, if any fee is determined to be due, authorization is hereby given to charge the fee to deposit account #02-2275. Pursuant to 37 C.F.R. 1.136(a)(3), please treat this and any concurrent or future reply in this application that requires a petition for an extension of time for its timely submission as incorporating a petition for extension of time for the appropriate length of time. The fee associated therewith is to be charged to Deposit Account No. 02-2275.

Respectfully submitted

LUCAS & MERCANTI, LLP

By:

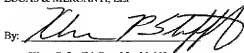


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I hereby certify that this document is being electronically transmitted to the Commissioner for Patents via EFS-Web on September 25, 2009.

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